

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA**

CHARLESTON DIVISION

IN RE: ETHICON, INC.
PELVIC REPAIR SYSTEMS
PRODUCTS LIABILITY LITIGATION

MDL 2327

THIS DOCUMENT RELATES TO CASES
IDENTIFIED ON EXHIBIT A

**ORDER AND SUGGESTION OF REMAND
FOR CASES ON EXHIBIT A**

Pursuant to 28 U.S.C. § 1407 and the Rules for Multidistrict Litigation promulgated thereunder, specifically Rule 10.1(b), the court suggests that the actions on Exhibit A be remanded to the United States District Courts from which they came, as identified on Exhibit A.

The individual cases on Exhibit A were transferred by the Judicial Panel on Multidistrict Litigation to the Southern District of West Virginia and are related to MDL 2327, 2:12-md-2327, one of several MDLs assigned to me by the Panel. The court has been informed that the large majority of the remaining cases pending in this MDL are included in Master Settlement Agreements that defendants have entered into with numerous plaintiff firms. In June 2018, the court entered Ethicon Pretrial Order # 329, in an attempt to address inefficiencies and delays in the parties' submission of dismissals. Although a number of dismissals have been processed by the method set forth in that Order and by the traditional method of dismissing cases, thousands of cases remain languishing in this court. For the convenience of the parties and in order to promote the final resolution of these cases, it appears to the court that the cases would be more expeditiously

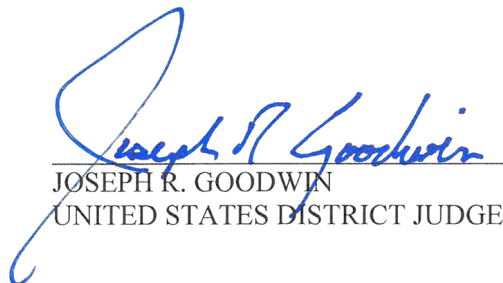
concluded in the jurisdiction from which they originally came to this court, as identified on Exhibit A.

Accordingly, upon receipt of an order to remand from the Clerk of the Judicial Panel on Multidistrict Litigation *and* the timely filing of any joint designations of the MDL 2327 record by counsel in the individual case (as outlined below), the Clerk of this court, pursuant to 28 U.S.C. § 1407, is **ORDERED** that on **April 21, 2019** (10 days after the date of entry of the order) (hereinafter the “Transfer Date”) the cases identified on Exhibit A that are *still pending* shall be remanded to the United States District Courts identified on Exhibit A. On or before **April 21, 2019** (10 days after the date of entry of the order), the parties are **ORDERED** to confer and to file *in each individual member case* identified in Exhibit A, all documents from the main MDL that the parties jointly deem relevant to constitute an appropriate record for the receiving court to consider. When filing the documents from the main MDL, the parties are directed to utilize the CM/ECF event entitled “Designation of Record for MDL Transfers” (available under Civil > Other Filings > Other Documents). When completing the event, the “Main Document” should be the list of joint designations from the main MDL, and the “Attachments” should be each individual document on the joint designation list with the “Description” being the ECF number and a brief description of the document (i.e. ECF 96 – Joint Stipulation of Experts). All cases on Exhibit A that are pending on the Transfer Date shall be remanded, and the parties shall bear the consequences in the receiving court of any failure to prepare an appropriate record as directed in this order. The parties and the receiving court are hereby advised that all Pretrial Orders entered in this matter are available for review on the court’s website at www.wvsc.uscourts.gov/MDL/2327/orders.html and the master docket sheet can be found on CM/ECF at 2:12-md-2327.

Any joint motion to dismiss may be ruled upon and any proper stipulation of dismissal may close a case prior to remand. On the Transfer Date, the Clerk is hereby **DIRECTED** to utilize the appropriate function in CM/ECF to extract each member case listed on Exhibit A that remains pending and remand it to the corresponding United States District Court listed on Exhibit A. After remand of each member case listed in Exhibit A that is not dismissed prior to the Transfer Date, the Clerk is **DIRECTED** to formally close the case and strike it from the docket of this court.

The court further **DIRECTS** that a copy of this Order and Suggestion of Remand and Exhibit A be filed in every case listed on Exhibit A and sent to the Clerk of the MDL Panel and counsel of record or any unrepresented party for the cases listed on Exhibit A.

ENTER: April 11, 2019



JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE

EXHIBIT A

	Civil Action No.	Case Name	Transfer Jurisdiction
1	2:13-cv-26237	Shahbaz et al v. Johnson & Johnson et al	California Central
2	2:17-cv-04337	Rivera et al v. Ethicon, Inc. et al	California Central
3	2:13-cv-06823	Rubio et al v. Johnson & Johnson et al	California Eastern
4	2:17-cv-01356	McKenna v. Ethicon, Inc.	Colorado
5	2:13-cv-30481	Braun v. Johnson & Johnson et al	Connecticut
6	2:14-cv-07706	Vasconcelos et al v. Ethicon, Inc. et al	Connecticut
7	2:14-cv-17174	Sansabrino v. Johnson & Johnson, Inc. et al	Connecticut
8	2:14-cv-27445	Murphy et al v. Johnson & Johnson, Inc. et al	Connecticut
9	2:13-cv-27200	Pringle et al v. Ethicon, Inc. et al	Florida Southern
10	2:12-cv-00490	Freeman et al v. Ethicon, Inc. et al	Georgia Northern
11	2:12-cv-01525	Fugate et al v. Ethicon, Inc. et al	Illinois Northern
12	2:15-cv-06253	Donaldson et al v. Ethicon, Inc. et al	Illinois Southern
13	2:13-cv-01573	Willet et al v. Ethicon, Inc. et al	Iowa Southern
14	2:13-cv-15701	Ainsworth v. Ethicon, Inc. et al	Kansas
15	2:12-cv-05048	Moore v. Ethicon, Inc. et al	Kentucky Western
16	2:12-cv-01414	Simpson et al v. Ethicon, Inc. et al	Louisiana Eastern
17	2:12-cv-03954	Busby v. Boston Scientific Corporation et al	Louisiana Eastern
18	2:13-cv-01753	Douglas et al v. Ethicon, Inc. et al	Louisiana Eastern
19	2:13-cv-22103	Hitt et al v. Ethicon, Inc. et al	Louisiana Western
20	2:13-cv-29593	Finley et al v. Johnson & Johnson, Inc. et al	Louisiana Western
21	2:16-cv-07244	Brantley v. Ethicon, Inc. et al	Louisiana Western
22	2:17-cv-02381	Hertslet v. Ethicon, Inc. et al	Maryland
23	2:12-cv-05112	Geisinger v. Ethicon, Inc. et al	Minnesota
24	2:13-cv-20787	Campbell et al v. Mentor Corporation et al	Minnesota
25	2:13-cv-21351	Johnson et al v. Mentor Corporation et al	Minnesota
26	2:15-cv-02446	Rolandson v. Ethicon, Inc. et al	Minnesota
27	2:12-cv-02336	Wright v. Johnson & Johnson et al	Mississippi Southern
28	2:13-cv-14809	Neuhaus v. Johnson & Johnson et al	Mississippi Southern
29	2:15-cv-00848	Branning v. Johnson & Johnson et al	Mississippi Southern
30	2:13-cv-22100	Clark-Ajemian v. Ethicon, Inc. et al	Missouri Eastern
31	2:13-cv-32350	Johnson et al v. Johnson & Johnson et al	Missouri Eastern
32	2:14-cv-27204	Mathes v. Coloplast Corp.	Missouri Eastern
33	2:15-cv-12450	Alfermann et al v. Ethicon, Inc. et al	Missouri Eastern
34	2:16-cv-09201	Reddick v. Gynecare, Inc. et al	Missouri Eastern
35	2:13-cv-14115	Holland et al v. Ethicon, Inc. et al	Missouri Western
36	2:16-cv-02544	Canazzi v. Ethicon, Inc. et al	Missouri Western
37	2:16-cv-00347	Godfrey v. Johnson & Johnson Corp. et al	Montana
38	2:16-cv-09339	Jennings v. Johnson & Johnson Corp. et al	Montana,
39	2:13-cv-01972	Dawson v. Johnson & Johnson et al	Nevada
40	2:12-cv-05039	Thompson v. Ethicon, Inc. et al	New Jersey
41	2:12-cv-03984	McClave v. Ethicon, Inc. et al	New Mexico
42	2:16-cv-00021	Cano v. Ethicon, Inc. et al	New Mexico
43	2:14-cv-03449	Vosper et al v. Ethicon, Inc. et al	New York Northern
44	2:16-cv-12028	Clark et al v. Ethicon, Inc. et al	New York Northern

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45	2:13-cv-00469	Rozman v. Ethicon, Inc. et al	New York Southern
46	2:12-cv-03959	McLaughlin v. Ethicon, Inc. et al	New York Western
47	2:12-cv-04281	Adipietro v. Ethicon, Inc. et al	New York Western
48	2:14-cv-24623	Tarantelli-Benjamin et al v. Ethicon, Inc. et al	New York Western
49	2:13-cv-23171	Carpenter v. Ethicon, Inc. et al	North Carolina Eastern
50	2:12-cv-02072	Pratt v. Ethicon, Inc. et al	Oregon
51	2:12-cv-01124	Bellito-Stanford et al v. Ethicon, Inc. et al	Pennsylvania Eastern
52	2:14-cv-27267	Bartman et al v. Boston Scientific Corporation et al	Pennsylvania Eastern
53	2:14-cv-27281	Musewicz et al v. Boston Scientific Corporation et al	Pennsylvania Eastern
54	2:14-cv-28501	Kohn et al v. Ethicon, Inc. et al	Pennsylvania Eastern
55	2:14-cv-28544	Chester v. Ethicon, Inc. et al	Pennsylvania Eastern
56	2:14-cv-28548	Lepley v. Ethicon, Inc. et al	Pennsylvania Eastern
57	2:14-cv-29115	Kinard v. Ethicon, Inc. et al	Pennsylvania Eastern
58	2:14-cv-29117	Sheaffer et al v. Ethicon, Inc. et al	Pennsylvania Eastern
59	2:14-cv-29130	Tobin et al v. Ethicon, Inc. et al	Pennsylvania Eastern
60	2:15-cv-00905	Brough et al v. Ethicon, Inc. et al	Pennsylvania Eastern
61	2:15-cv-00930	Bagner v. Ethicon, Inc. et al	Pennsylvania Eastern
62	2:16-cv-03889	Kent v. Ethicon, Inc. et al	Pennsylvania Eastern
63	2:16-cv-03894	Fletcher v. Ethicon, Inc. et al	Pennsylvania Eastern
64	2:16-cv-03929	Seidle v. Ethicon, Inc. et al	Pennsylvania Eastern
65	2:16-cv-11980	Tallo v. Ethicon, Inc. et al	Pennsylvania Eastern
66	2:14-cv-28346	Inners et al v. Ethicon, Inc. et al	Pennsylvania Eastern,
67	2:13-cv-14888	Atkinson et al v. Ethicon, Inc.	Pennsylvania Western
68	2:14-cv-00755	Rose v. Johnson & Johnson	Pennsylvania Western
69	2:12-cv-06199	Torres Ortiz et al v. Johnson & Johnson, Inc. et al	Puerto Rico
70	2:12-cv-00341	Brown et al v. Ethicon, Inc. et al	Tennessee Eastern
71	2:13-cv-16273	Clabo v. Johnson & Johnson Health Care Systems, Inc. et al	Tennessee Eastern
72	2:14-cv-24274	Baumgardner et al v. Ethicon, Inc. et al	Tennessee Eastern
73	2:15-cv-03265	Nunn et al v. Ethicon, Inc. et al	Tennessee Eastern
74	2:15-cv-03266	Gray v. Ethicon, Inc. et al	Tennessee Eastern
75	2:15-cv-03277	Roberson et al v. Ethicon, Inc. et al	Tennessee Eastern
76	2:12-cv-04039	Febus v. C. R. Bard, Inc. et al	Tennessee Middle
77	2:12-cv-03844	Branson v. Ethicon, Inc. et al	Tennessee Western
78	2:12-cv-03920	Pamperin v. Ethicon, Inc. et al	Tennessee Western
79	2:12-cv-04495	Anderson v. Ethicon, Inc. et al	Tennessee Western
80	2:13-cv-22370	Gardiner et al v. C. R. Bard, Inc. et al	Texas Eastern
81	2:12-cv-02308	Pendleton et al v. Ethicon Women's Health and Urology et al	Texas Northern
82	2:12-cv-3582	Ramirez et al v. Ethicon Women's Health and Urology et al	Texas Northern
83	2:14-cv-12789	Tully-O'Shea v. Johnson & Johnson et al	Texas Southern
84	2:13-cv-07262	Barnes et al v. Johnson & Johnson, et al	Washington Western
85	2:12-cv-02103	Nelson et al v. Ethicon, Inc. et al	Wisconsin Eastern